

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

OLD LADDER LITIGATION CO., LLC, as  
Litigation Designee on behalf of the Liquidation  
Trust,

Plaintiff,

V.

INVESTCORP BANK B.S.C., et al.,

Defendants.

## CIVIL ACTION

NO. 08 CV 0876

## NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that Kenneth J. King is appearing on behalf of

defendants Michael D. Brooks, David M. Conn, John J. Dylick, Christopher Filardi, Bruce B. Fisher, Larry V. Friend, Edward W. Gericke, Timothy Lewis and Neal R. Martin in the above matter, subject to and without waiver of any procedural or substantive defenses.

Dated: April 25, 2008

/s/Kenneth J. King

Kenneth J. King (KK-3567)  
Pepper Hamilton LLP  
The New York Times Building  
37th Floor  
620 Eighth Avenue  
New York, NY 10018-1405

*Attorneys for Defendants Michael D. Brooks,  
David M. Conn, John J. Dylick, Christopher  
Filardi, Bruce B. Fisher, Larry V. Friend,  
Edward W. Gericke, Timothy Lewis and Neal  
R. Martin*

**CERTIFICATE OF SERVICE**

I, Kenneth J. King, hereby certify that on this 25<sup>th</sup> day of April, 2008, I caused a true and correct copy of the foregoing to be served via first-class mail on the following appearing parties listed below:

<b>PLAINTIFF</b>	<b>COUNSEL</b>
Old Ladder Litigation Co., LLC	J. Christopher Shore, Esq. White & Case, LLP 1155 Avenue of the Americas New York, NY 10036-2787
<b>DEFENDANTS</b>	<b>COUNSEL</b>
Annisville Limited Ballet Limited C.P. Holdings Limited CIP Limited Climbing Products Limited Cooperstown Limited Denary Limited Equity WERA Limited Frisco Limited Gleam Limited Highlands Limited Investcorp Bank B.S.C. Investcorp Holdings Limited Investcorp International, Inc. Investcorp Investment Equity Limited Investcorp S.A. Investcorp Werner Holdings L.P. Invifin, S.A. Ladder Equity Limited Noble Limited Outrigger Limited Ownership Holdings Limited Platea Limited Quill Limited Radial Limited Shoreline Limited SIPCO Limited Step Investments Limited	Anthony Clark, Esq. Skadden, Arps, Slate, Meagher & Flom LLP One Rodney Square P. O. Box 636 Wilmington, DE 19899

<p> StepUp Limited  Werner Equity Limited  Werner IIP Limited  Werner Investments Limited  WL Holdings Limited  Zinnia Limited  Charles Marquis  Christopher Stadler  Dana Snyder  James Baker  James Egan  James Hardymon  Mamoun Askari  Stephen Tempini  Thomas Sullivan </p>	
<p> Alligator Partners, L.P. (Howard Solot and Janet Solot – General Partners), Allison Tyler Karp, Ashley Elizabeth Werner, Barbara L. Werner, Beth Katz, Beverly Werner Needham, Brad J. Gellis, Bruce D. Werner Bruce D. Werner – Trust (Bruce Werner – Trustee), Bruce D. Werner Family Limited Partnership (Bruce Werner – Managing General Partner), Carly Krane, Craig R. Werner Family Limited Partnership (Craig Werner – General Partner), Craig R. Werner Trust, Craig Werner, Debra A. Rothman, Deborah Kaplan Trust, Dennis J. Johnson, Donald E. Achenbach, Donald M. Werner, Eli Berk-Rauch, Elise W. Frost, Elissa Schwartz (now Elissa Rioux), Ellen Berk-Rauch, Eric A. Mason, Eric Werner, Florence J. Werner, Florence J. Werner – Irrev. Trust dated 10/7/94 (Ronald Werner, Marc Werner and Michael Werner – Trustees), Gail Rauch Blackman, George Koerner, Hanna Berk-Rauch, Heather Blackman, Henry W. Dowler, Howard L. Solot, Ira and Elise Frost Family Limited Partnership (Elise Frost – General Managing Partner), Isabelle Werner, J. David Goldblatt, Janet F. Solot, Jason Krane, Jeffrey Addison Werner, Jeremy Kaplan, Jessica Joubert, Jonathan C. Werner Gift Trust U/A/D/ 11/1/96 (Jeffrey Weisman – Trustee), Jordana Rothman, Joshua J. Rothman, Judith </p>	<p> James V. Masella III  Blank Rome LLP  The Chrysler Building  405 Lexington Avenue  New York, NY 101754 </p>

<p>Kaplan Trust, Julia Kaplan, June Goldblatt, Karrah Kaplan, Kevin M. Rothman, Laura W. Werner Revocable Trust, U/AID 1/2/96 (Laura Werner – Trustee), Lee L. Basilotta, Linda Joubert, Lois S. Werner Revocable Trust, Marc L. Werner, Marc L. Werner Irrevocable Trust, Margot A. Werner Gift Trust U/A/D 11/1/96 (Laura Werner – Trustee), Marlane Krane, Marsha Beth Karp, Maurice Weiner, Melanie Werner, Melissa S. Karp (Minor), Michael E. Werner, Michael E. Werner Revocable Trust U/A/D 12/96 (Michael Werner – Trustee), Michael Solot, Michael Trzynka, Mindy Werner Alter, Noel Berk-Rauch, Paula J. Griffith, Rankell Family Trust, Rachael Kaplan, Rauch Trust (Aleen A. Shapiro – Trustee), Richard L. Werner, Richard L. Werner Revocable Trust, Richmond Drive Enterprises, L.P. (Richard Werner and Elise Frost – General Partners), Richmond I. Rosati (Minor), Robert A. Rosati, Robert I. Werner, Robert I. Werner – Irrev. Trust Dated 8/30/94 (Ronald Werner – Administrative Trustee), Ronald E. Werner, Roni S. Rosati, Ross Daniel Rosati (Minor), Ryan Gregory Rosati, Shirley W. Rauch Trust (Shirley Rauch and Marlane Krone – Trustees), Sophia Werner, Stephanie N. Werner Gift Trust U/A/D 11/1/96 (Jeffery Weisman – Trustee), Susan Morrow, Suzanne Schwartz, Tammy H. Werner, Werner GC Trust for Erin Joy Ryan (Beverly Werner Needham – Trustee), Werner GC Trust for Shannon Rose Ryan (Beverly Werner Needham – Trustee), Werner-Alter, LLC (Mindy Werner Alter – Manager), William Hazlett, William J. Rippin</p>	
<p>Leonard Green &amp; Partners, L.P. LGP Management, Inc. Green Equity Investors III, L.P. Werner Co-Investment LLC Michael Wong Peter Nolan</p>	<p>Blair G. Connelly Latham &amp; Watkins LLP 885 Third Avenue, Suite 1000 New York, NY 10022</p>

John Thigpen	Matthew S. Tomasco Schnader Harrison Segal & Lewis LP 140 Broadway, Suite 3100 New York, NY 10005-1101
Loughlin Meghji & Co., Inc.	Eric J. Grannis Law Offices of Eric J. Grannis 620 Fifth Avenue New York, NY 10020
Steven Richman, John Remmers	Richard Levin Cravath, Swaine & Moore LLP Worldwide Plaza 825 Eighth Avenue New York, NY 10019-7475
Steven R. Bentson Dennis G. Heiner Peter R. O'Coin	Bruce D. Angiolillo Simpson Thacher & Bartlett LLP 425 Lexington Avenue New York, NY 10017
Garcell 1997 Unitrust – 12/19/1997 Vincent J. Garcell Vincent J. Garcell Living Trust	David E. Ross, Esq. Robinson & Cole LLP 885 Third Avenue, 28 <sup>th</sup> Floor New York, NY 10022-4834
Karen Lynn Moseska	Joshua J. Larocca, Esq. Nixon Peabody LLP 437 Madison Avenue New York, NY 10022
Murray Devine & Co., Inc.	Howard B. Levi, Esq. Levi Lubarsky & Feigenbaum LLP 1185 Avenue of the Americas, 17 <sup>th</sup> Floor New York, NY 10036
Gary Stewart, Stewart Charitable Remainder Unitrust (Gary Stewart, Trustee), Stewart Charitable Remainder Unitrust (Ilene Stewart, Trustee), Ilene Stewart, Suzanne Rosen Novak Partnership AKA A California Limited Partnership (Alyce Novak, Trustee), Alyce Novak	Peter J. Gallagher, Esq. Kennedy Johnson Gallagher LLC 99 Wall Street New York, NY 10005

<p>Anne L. Werner Residuary Trust – EX  (Timothy F. Burke – Trustee), Anne L. Werner  Residuary Trust (Timothy F. Burke – Trustee),  Edward A. Pollack, Edward A. Pollack POA  Marc L. Werner, Elizabeth W. Ackerman Trust  DTD 12/18/67 (Jeffrey R. Ackerman  Successor Trustee), Jeffrey R. Ackerman,  Matthew W. Weiss, and Estate of Max  Hanfling (Edward A. Pollack – Executor)</p>	<p>Peter N. Wang  Foley &amp; Lardner LLP  90 Park Avenue  New York, NY 10016</p>
<p>Elizabeth Werner Trust, N.C.B.</p>	<p>Elliot J. Blumenthal  Buchanan Ingeroll &amp; Rooney PC  620 Eighth Avenue, 23<sup>rd</sup> Floor  New York, NY 10018-1669</p>

/s/Kenneth J. King

Kenneth J. King

*Attorneys for Defendants Michael D.  
Brooks, David M. Conn, John J. Dylick,  
Christopher Filardi, Bruce B. Fisher, Larry  
V. Friend, Edward W. Gericke, Timothy  
Lewis and Neal R. Martin*